

110TH CONGRESS
1ST SESSION

H. R. 1320

To protect important existing television band devices in the unassigned, non-licensed television channels from harmful interference from new devices.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2007

Mr. RUSH introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To protect important existing television band devices in the unassigned, non-licensed television channels from harmful interference from new devices.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interference Protection
5 for Existing Television Band Devices Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The television spectrum is home not only to
9 broadcasting, but also to other existing devices, in-
10 cluding wireless microphones. These other existing

1 devices provide important services to the entertain-
2 ment, religious, news, sports, business, govern-
3 mental, public safety, and other industries and en-
4 able their content delivery to consumers.

5 (2) There is spectrum available on unassigned,
6 non-licensed television channels which potentially
7 can support new devices.

8 (3) Introducing these new devices without ade-
9 quate safeguards would cause harmful interference
10 to other existing television band devices already op-
11 erating on the unassigned, non-licensed television
12 channels.

13 (4) Existing television band devices require pro-
14 tection from harmful interference to preserve their
15 important operations.

16 **SEC. 3. CERTIFIED UNLICENSED DEVICE USE OF UNAS-**
17 **SIGNED TELEVISION CHANNELS.**

18 (a) **FIXED DEVICE USE PERMITTED.**—Subject to the
19 limitations and conditions set forth in this section, the
20 Commission shall permit fixed location, certified unli-
21 censed devices to use, on non-exclusive terms, unassigned,
22 non-licensed television broadcast channels between 54
23 megahertz and 698 megahertz in rural areas no sooner
24 than February 17, 2009.

1 (b) PROTECTION FROM HARMFUL INTERFERENCE
2 REQUIRED.—The Commission shall protect incumbent
3 certified low-power auxiliary devices from harmful inter-
4 ference by—

5 (1) requiring certification of unlicensed devices
6 prior to permitting such devices to access or use un-
7 assigned, non-licensed television broadcast channels
8 between 54 megahertz and 698 megahertz in rural
9 areas, and requiring, as part of the certification,
10 proof of successful completion of laboratory and field
11 testing by an independent laboratory demonstrating
12 that unlicensed devices do not cause harmful inter-
13 ference to incumbent certified low-power auxiliary
14 devices;

15 (2) prohibiting certified unlicensed devices from
16 operating on any television broadcast channel be-
17 tween 54 megahertz and 698 megahertz that is al-
18 ready in use by an incumbent certified low-power
19 auxiliary device; and

20 (3) considering additional ways to protect in-
21 cumbent certified low-power auxiliary devices from
22 harmful interference, such as reserving certain tele-
23 vision broadcast channels for exclusive use by incum-
24 bent certified low-power auxiliary devices.

1 (c) NON-FIXED DEVICES.—The Commission may
2 consider permitting the operation of non-fixed (personal/
3 portable) location, certified unlicensed devices to use the
4 non-licensed television broadcast channels between 54
5 megahertz and 698 megahertz no sooner than 36 months
6 after the Commission’s first approval of the operation of
7 a fixed location, certified unlicensed devices in the non-
8 licensed television broadcast channels under this section.

9 (d) DEFINITIONS.—For the purposes of this section:

10 (1) COMMISSION.—The term “Commission”
11 means the Federal Communications Commission.

12 (2) CERTIFIED UNLICENSED DEVICE.—The
13 term “certified unlicensed device” means any unli-
14 censed device certified under the Communications
15 Act of 1934 and satisfying the testing requirements
16 of section 3(b)(1) of this Act, whose primary pur-
17 pose is to provide broadband service to rural areas.

18 (3) INCUMBENT CERTIFIED LOW-POWER AUXIL-
19 IARY DEVICE.—The term “incumbent certified low-
20 power auxiliary device” means any certified low-
21 power wireless microphone, personal wireless mon-
22 itor, or other audio auxiliary equipment operating on
23 television broadcast channels between 54 megahertz
24 and 698 megahertz, used for entertainment, reli-
25 gious, news gathering, governmental, business, or

1 personal consumer purposes to provide real-time,
2 high-quality audio transmissions over distances of
3 approximately 100 meters.

4 (4) RURAL AREA.—The term “rural area”
5 means any rural service area or rural statistical
6 area, as defined by the Commission.

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